

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: CASE NO. 19-23634-CMB

Derek J. Rocco, and Mary Rae Rocco,
Debtor(s). Chapter 13

RONDA J. WINNECOUR, Chapter 13 Related to Doc Nos 15 and 54
Trustee,
Movant(s),

vs.

Derek J. Rocco, and Mary Rae Rocco,
Respondent(s).

CONSENT ORDER OF COURT MODIFYING PLAN

WHEREAS, the plan to be modified was dated October 3, 2019 (and filed at Doc 15), and was confirmed final on May 26, 2020 (and filed at Doc 54);

WHEREAS, Debtor(s) filed (at Doc 100) Amended Schedules I and J, which are incorporated herein, and which indicated that their income and disposable income (as set forth at Schedule J, Line 23c) has increased;

WHEREAS, the Debtor(s) and Trustee (collectively, the "Parties") agree that the indicated disposable income in the Amended Schedules is \$5,992 and that the plan payment should be increased to \$5,900;

WHEREAS, the Parties agree that the increase in the monthly plan payment will result in an increase in the estimated amount to paid to unsecured creditors in the case; and

NOW THEREFORE, the Parties hereto agree as follows:

- (i) For the remainder of the Plan term, the Plan payment is amended to be \$5,900 as of March 2023. Debtor(s)' counsel shall file a motion to amend the income attachment order within five (5) days of the date of this Order.

- (ii) Section 5.1 of the Plan is modified to provide that the estimated amount to be available for distribution to timely filed non-specially classified general unsecured creditors is to be \$75,682.13, resulting in an estimated percentage of 30% based on timely filed non-specially classified claims. The minimum to be paid to Section 5.1 creditors to comply with the liquidation alternative test for confirmation (at §1325(a)(4)) shall remain unchanged.
- (iii) The requirement in the Confirmation Order at Doc 54, Paragraph (1)H, that Debtors file an amended Schedule I when the 401k Loan is paid off is vacated as moot in light of the Amended Schedules at Doc 100.
- (iv) Except as modified herein, the Plan and previously entered Confirmation Order are incorporated herein.

So Ordered, this _____ day of _____, 20____

U. S. Bankruptcy Judge

Consented to:

/s/ Kenneth Steidl
Kenneth Steidl, Esquire
STEIDL & STEINBERG
Suite 2830 – Gulf Tower
707 Grant Street
Pittsburgh, PA 15219
(412) 391-8000
ken.steidl@steidl-steinberg.com
Attorney for Debtor(s)

/s/ Owen W. Katz
Owen W. Katz
US Steel Tower, Suite 3250
600 Grant Street
Pittsburgh, PA 15219
(412) 471-5566
okatz@chapter13trusteewdpa.com
Attorney for Chapter 13 Trustee